

SECOND REGULAR SESSION
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1498
96TH GENERAL ASSEMBLY

Reported from the Committee on Jobs, Economic Development and Local Government, May 1, 2012, with recommendation that the Senate Committee Substitute do pass.

5490S.03C

TERRY L. SPIELER, Secretary.

AN ACT

To repeal sections 311.087, 311.089, 311.090, 311.093, 311.097, 311.098, 311.102, 311.104, 311.174, 311.176, 311.178, 311.196, 311.273, 311.293, 311.481, 311.485, and 311.486, RSMo, and to enact in lieu thereof ten new sections relating to sales of intoxicating liquor.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Sections 311.087, 311.089, 311.090, 311.093, 311.097, 311.098, 311.102, 311.104, 311.174, 311.176, 311.178, 311.196, 311.273, 311.293, 311.481, 311.485, and 311.486, RSMo, are repealed and ten new sections enacted in lieu thereof, to be known as sections 311.089, 311.090, 311.174, 311.176, 311.178, 311.196, 311.205, 311.293, 311.485, and 311.486, to read as follows:

311.089. Any establishment possessing or qualifying for a license to sell intoxicating liquor by the drink at retail in any city not within a county, any home rule city with more than four hundred thousand inhabitants and located in more than one county and if such establishment is also located in a resort area, convention trade area, or enterprise zone area, the establishment may apply for a Sunday by-the-drink license between the hours of 9:00 a.m. and midnight on Sunday. [The business establishment's annual gross receipts for the year immediately preceding the application for the Sunday by-the-drink license shall not have been less than one hundred fifty thousand dollars of which at least sixty thousand dollars of such gross receipts is in nonalcoholic sales. Any new licensee possessing a license to sell intoxicating liquor by the drink at retail may apply for a temporary Sunday by-the-drink license and shall show a projection of annual

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

13 gross receipts of not less than one hundred fifty thousand dollars of which at
14 least sixty thousand dollars of such gross receipts is in nonalcoholic sales.] The
15 license fee for such Sunday by-the-drink license shall be six hundred dollars per
16 year. The license fee shall be prorated for the period of the license based on the
17 cost of the annual license for the establishment.

311.090. 1. Any person who possesses the qualifications required by this
2 chapter, and who meets the requirements of and complies with the provisions of
3 this chapter, and the ordinances, rules and regulations of the incorporated city
4 in which such licensee proposes to operate his business, may apply for, and the
5 supervisor of [liquor] **alcohol and tobacco** control may issue, a license to sell
6 intoxicating liquor, as defined in this chapter, by the drink at retail for
7 consumption on the premises described in the application; provided, that no
8 license shall be issued for the sale of intoxicating liquor, other than malt liquor
9 containing alcohol not in excess of five percent by weight, and light wines
10 containing not in excess of fourteen percent of alcohol by weight made exclusively
11 from grapes, berries and other fruits and vegetables, by the drink at retail for
12 consumption on the premises where sold to any person other than a charitable,
13 fraternal, religious, service or veterans' organization which has obtained an
14 exemption from the payment of federal income taxes as provided in section
15 501(c)(3), 501(c)(4), 501(c)(5), 501(c)(7), 501(c)(8), 501(c)(10), 501(c)(19), or 501(d)
16 of the United States Internal Revenue Code of 1954, as amended, in any
17 incorporated city having a population of less than nineteen thousand five hundred
18 inhabitants, until the sale of such intoxicating liquor, by the drink at retail for
19 consumption on the premises where sold, shall have been authorized by a vote of
20 the majority of the qualified voters of the city. Such authority shall be
21 determined by an election to be held in those cities having a population of less
22 than nineteen thousand five hundred inhabitants as determined by the last
23 preceding federal decennial census, under the provisions and methods set out in
24 this chapter. Once such licenses are issued in a city with a population of at least
25 nineteen thousand five hundred inhabitants, any subsequent loss of population
26 shall not require the qualified voters of such a city to approve the sale of such
27 intoxicating liquor prior to the issuance or renewal of such licenses. No license
28 shall be issued for the sale of intoxicating liquor, other than malt liquor
29 containing alcohol not in excess of five percent by weight, and light wines
30 containing not in excess of fourteen percent of alcohol by weight made exclusively
31 from grapes, berries and other fruits and vegetables, by the drink at retail for

32 consumption on the premises where sold, outside the limits of such incorporated
33 cities unless the licensee is a charitable, fraternal, religious, service or veterans'
34 organization which has obtained an exemption from the payment of federal
35 income taxes as provided in section 501(c)(3), 501(c)(4), 501(c)(5), 501(c)(7),
36 501(c)(8), 501(c)(10), 501(c)(19), or 501(d) of the United States Internal Revenue
37 Code of 1954, as amended.

38 2. [Notwithstanding any other provisions of this chapter to the contrary,
39 any charitable, fraternal, religious, service or veterans' organization which has
40 obtained an exemption from the payment of federal income taxes as provided in
41 section 501(c)(3), 501(c)(4), 501(c)(5), 501(c)(7), 501(c)(8), 501(c)(10), 501(c)(19), or
42 501(d) of the United States Internal Revenue Code of 1954, as amended, may
43 apply for, and the supervisor of liquor control may issue, a license to sell
44 intoxicating liquor, as defined in this chapter, between the hours of 9:00 a.m. on
45 Sunday and midnight on Sunday by the drink at retail for consumption on the
46 premises described in the application. The authority for the collection of fees by
47 cities and counties as provided in section 311.220, and all other laws and
48 regulations of the state relating to the sale of liquor by the drink for consumption
49 on the premises where sold, shall apply to organizations licensed under this
50 subsection in the same manner as they apply to establishments licensed under
51 subsection 1 of this section and sections 311.085 and 311.095. In addition to all
52 other fees required by law, an organization licensed under this section shall pay
53 an additional fee of two hundred dollars a year payable at the same time and in
54 the same manner as its other license fees.

55 3.] If any charitable, fraternal, religious, service, or veterans' organization
56 has a license to sell intoxicating liquor on its premises pursuant to this section
57 and such premises includes two or more buildings in close proximity, such permit
58 shall be valid for the sale of intoxicating liquor at any such building.

311.174. 1. Any person possessing the qualifications and meeting the
2 requirements of this chapter who is licensed to sell intoxicating liquor by the
3 drink at retail for consumption on the premises in a city with a population of at
4 least four thousand inhabitants which borders the Missouri River and also
5 borders a city with a population of over three hundred thousand inhabitants
6 located in at least three counties, in a city with a population of over three
7 hundred thousand which is located in whole or in part within a first class county
8 having a charter form of government or in a first class county having a charter
9 form of government which contains all or part of a city with a population of over

10 three hundred thousand inhabitants, may apply to the supervisor of [liquor]
11 **alcohol and tobacco** control for a special permit to remain open on each day of
12 the week until 3:00 a.m. of the morning of the following day; except that, an
13 entity exempt from federal income taxes under Section 501(c)(7) of the Internal
14 Revenue Code of 1986, as amended, and located in a building designated as a
15 National Historic Landmark by the United States Department of the Interior may
16 apply for a license to remain open until 6:00 a.m. of the following day. The time
17 of opening on Sunday may be [11:00] **9:00** a.m. The provisions of this section and
18 not those of section 311.097 regarding the time of closing shall apply to the sale
19 of intoxicating liquor by the drink at retail for consumption on the premises on
20 Sunday. When the premises of such an applicant is located in a city as defined
21 in this section, then the premises must be located in an area which has been
22 designated as a convention trade area by the governing body of the city. When
23 the premises of such an applicant is located in a county as defined in this section,
24 then the premises must be located in an area which has been designated as a
25 convention trade area by the governing body of the county.

26 2. An applicant granted a special permit under this section shall in
27 addition to all other fees required by this chapter pay an additional fee of three
28 hundred dollars a year payable at the time and in the same manner as its other
29 license fees.

30 3. The provisions of this section allowing for extended hours of business
31 shall not apply in any incorporated area wholly located in any first class county
32 having a charter form of government which contains all or part of a city with a
33 population of over three hundred thousand inhabitants until the governing body
34 of such incorporated area shall have by ordinance or order adopted the extended
35 hours authorized by this section.

311.176. 1. Any person possessing the qualifications and meeting the
2 requirements of this chapter who is licensed to sell intoxicating liquor by the
3 drink at retail for consumption on the premises in a city not located within a
4 county, may apply to the supervisor of [liquor] **alcohol and tobacco** control for
5 a special permit to remain open on each day of the week until 3:00 a.m. of the
6 morning of the following day. The time of opening on Sunday may be [8:00] **9:00**
7 a.m. The provisions of this section and not those of section 311.097 regarding the
8 time of closing shall apply to the sale of intoxicating liquor by the drink at retail
9 for consumption on the premises on Sunday. To qualify for such a permit, the
10 premises of such an applicant must be located in an area which has been

11 designated as a convention trade area by the governing body of the city and the
12 applicant must meet at least one of the following conditions:

13 (1) The business establishment's annual gross sales for the year
14 immediately preceding the application for extended hours equals one hundred
15 fifty thousand dollars or more; or

16 (2) The business is a resort. For purposes of this section, a "resort" is
17 defined as any establishment having at least sixty rooms for the overnight
18 accommodation of transient guests and having a restaurant located on the
19 premises.

20 2. An applicant granted a special permit pursuant to this section shall,
21 in addition to all other fees required by this chapter, pay an additional fee of
22 three hundred dollars a year payable at the time and in the same manner as its
23 other license fees.

311.178. 1. Any person possessing the qualifications and meeting the
2 requirements of this chapter who is licensed to sell intoxicating liquor by the
3 drink at retail for consumption on the premises in a county of the first
4 classification having a charter form of government and not containing all or part
5 of a city with a population of over three hundred thousand may apply to the
6 supervisor of [liquor] **alcohol and tobacco** control for a special permit to
7 remain open on each day of the week until 3:00 a.m. of the morning of the
8 following day. The time of opening on Sunday may be [11:00] **9:00** a.m. The
9 provisions of this section and not those of section 311.097 regarding the time of
10 closing shall apply to the sale of intoxicating liquor by the drink at retail for
11 consumption on the premises on Sunday. The premises of such an applicant shall
12 be located in an area which has been designated as a convention trade area by
13 the governing body of the county and the applicant shall meet at least one of the
14 following conditions:

15 (1) The business establishment's annual gross sales for the year
16 immediately preceding the application for extended hours equals one hundred
17 fifty thousand dollars or more; or

18 (2) The business is a resort. For purposes of this subsection, a "resort" is
19 defined as any establishment having at least sixty rooms for the overnight
20 accommodation of transient guests and having a restaurant located on the
21 premises.

22 2. Any person possessing the qualifications and meeting the requirements
23 of this chapter who is licensed to sell intoxicating liquor by the drink at retail for

24 consumption on the premises in a county of the third classification without a
25 township form of government having a population of more than twenty-three
26 thousand five hundred but less than twenty-three thousand six hundred
27 inhabitants, a county of the third classification without a township form of
28 government having a population of more than nineteen thousand three hundred
29 but less than nineteen thousand four hundred inhabitants or a county of the first
30 classification without a charter form of government with a population of at least
31 thirty-seven thousand inhabitants but not more than thirty-seven thousand one
32 hundred inhabitants may apply to the supervisor of [liquor] **alcohol and**
33 **tobacco** control for a special permit to remain open on each day of the week until
34 3:00 a.m. of the morning of the following day. The time of opening on Sunday may
35 be [11:00] **9:00** a.m. The provisions of this section and not those of section
36 311.097 regarding the time of closing shall apply to the sale of intoxicating liquor
37 by the drink at retail for consumption on the premises on Sunday. The applicant
38 shall meet all of the following conditions:

39 (1) The business establishment's annual gross sales for the year
40 immediately preceding the application for extended hours equals one hundred
41 thousand dollars or more;

42 (2) The business is a resort. For purposes of this subsection, a "resort" is
43 defined as any establishment having at least seventy-five rooms for the overnight
44 accommodation of transient guests, having at least three thousand square feet of
45 meeting space and having a restaurant located on the premises; and

46 (3) The applicant shall develop, and if granted a special permit shall
47 implement, a plan ensuring that between the hours of 1:30 a.m. and 3:00 a.m. no
48 sale of intoxicating liquor shall be made except to guests with overnight
49 accommodations at the licensee's resort. The plan shall be subject to approval by
50 the supervisor of [liquor] **alcohol and tobacco** control and shall provide a
51 practical method for the division of [liquor] **alcohol and tobacco** control and
52 other law enforcement agencies to enforce the provisions of subsection 3 of this
53 section.

54 3. While open between the hours of 1:30 a.m. and 3:00 a.m. under a
55 special permit issued pursuant to subsection 2 of this section, it shall be unlawful
56 for a licensee or any employee of a licensee to sell intoxicating liquor to or permit
57 the consumption of intoxicating liquor by any person except a guest with
58 overnight accommodations at the licensee's resort.

59 4. An applicant granted a special permit pursuant to this section shall,

60 in addition to all other fees required by this chapter, pay an additional fee of
61 three hundred dollars a year payable at the time and in the same manner as its
62 other license fees.

63 5. The provisions of this section allowing for extended hours of business
64 shall not apply in any incorporated area wholly located in any county of the first
65 classification having a charter form of government which does not contain all or
66 part of a city with a population of over three hundred thousand inhabitants until
67 the governing body of such incorporated area shall have by ordinance or order
68 adopted the extended hours authorized by this section.

311.196. Notwithstanding any other provision of law to the contrary, any
2 restaurant bar without an on-site brewery that serves [forty-five] **twenty** or more
3 different types of draft beer may sell thirty-two fluid ounces or more of such beer
4 to customers for consumption off the premises of such bar or tavern. As used in
5 this section, the term "restaurant bar" means any establishment having a
6 restaurant or similar facility on the premises at least fifty percent of the gross
7 income of which is derived from the sale of prepared meals or food consumed on
8 such premises.

311.205. 1. **Any person licensed to sell liquor at retail by the
2 drink for consumption on the premises where sold may use a table tap
3 dispensing system to allow patrons of the licensee to dispense beer at
4 a table. Before a patron may dispense beer, an employee of the licensee
5 must first authorize an amount of beer, not to exceed thirty-two ounces
6 per patron per authorization, to be dispensed by the table tap
7 dispensing system.**

8 2. **No provision of law or rule or regulation of the supervisor
9 shall be interpreted to allow any wholesaler, distributor, or
10 manufacturer of intoxicating liquor to furnish table tap dispensing or
11 cooling equipment or provide services for the maintenance, sanitation,
12 or repair of table tap dispensing systems.**

311.293. 1. [Notwithstanding the provisions of any law to the contrary,]
2 **Except for any establishment that may apply for a license under section**
3 **311.089**, any person possessing the qualifications and meeting the requirements
4 of this chapter, who is licensed to sell intoxicating liquor [in the original package]
5 at retail [pursuant to section 311.200], may apply to the supervisor of alcohol and
6 tobacco control for a special license to sell intoxicating liquor [in the original
7 package] at retail between the hours of 9:00 a.m. and midnight on Sundays. A

8 licensee under this section shall pay to the director of revenue an additional fee
9 of two hundred dollars a year payable at the same time and in the same manner
10 as its other license fees.

11 2. In addition to any fee collected pursuant to section 311.220, a city or
12 county may charge and collect an additional fee not to exceed three hundred
13 dollars from any licensee under this section for the privilege of selling
14 intoxicating liquor [in the original package] at retail between the hours of 9:00
15 a.m. and midnight on Sundays in such city or county; however the additional fee
16 shall not exceed the fee charged by that city or county for a special license issued
17 pursuant to any provision of this chapter which allows a licensee to sell
18 intoxicating liquor by the drink for consumption on the premises of the licensee
19 on Sundays.

20 **3. The provisions of this section regarding the time of closing**
21 **shall not apply to any person who possesses a special permit issued**
under section 311.174, 311.176, or 311.178.

311.485. 1. The supervisor of liquor control may issue a temporary permit
2 to caterers and other persons holding licenses to sell intoxicating liquor[,
3 including intoxicating liquor in the original package,] by the drink at retail for
4 consumption on the premises pursuant to the provisions of this chapter who
5 furnish provisions and service for use at a particular function, occasion or event
6 at a particular location other than the licensed premises, but not including a
7 festival as defined in chapter 316. The temporary permit shall be effective for a
8 period not to exceed one hundred sixty-eight consecutive hours, and shall
9 authorize the service of alcoholic beverages at such function, occasion or event
10 during the hours at which alcoholic beverages may lawfully be sold or served
11 upon premises licensed to sell alcoholic beverages for on-premises
12 consumption. For every permit issued pursuant to the provisions of this section,
13 the permittee shall pay to the director of revenue the sum of ten dollars for each
14 calendar day, or fraction thereof, for which the permit is issued.

15 2. Except as provided in subsection 3 of this section, all provisions of the
16 liquor control law and the ordinances, rules and regulations of the incorporated
17 city, or the unincorporated area of any county, in which is located the premises
18 in which such function, occasion or event is held shall extend to such premises
19 and shall be in force and enforceable during all the time that the permittee, its
20 agents, servants, employees, or stock are in such premises. **This temporary**
21 **permit shall allow the sale of intoxicating liquor in the original**

22 package.

23 3. Notwithstanding any other law to the contrary, any caterer who
24 possesses a valid state and valid local liquor license may deliver alcoholic
25 beverages in the course of his or her catering business. A caterer who possesses
26 a valid state and valid local liquor license need not obtain a separate license for
27 each city the caterer delivers in, so long as such city permits any caterer to
28 deliver alcoholic beverages within the city.

29 4. To assure and control product quality, wholesalers may, but shall not
30 be required to, give a retailer credit for intoxicating liquor with an alcohol content
31 of less than five percent by weight delivered and invoiced under the catering
32 permit number, but not used, if the wholesaler removes the product within
33 seventy-two hours of the expiration of the catering permit issued pursuant to this
34 section.

 311.486. 1. The supervisor of alcohol and tobacco control may issue a
2 special license to caterers and other persons holding licenses to sell intoxicating
3 liquor[, including intoxicating liquor in the original package,] by the drink at
4 retail for consumption on the premises pursuant to the provisions of this chapter
5 who furnish provisions and service for use at a particular function, occasion, or
6 event at a particular location other than the licensed premises, but not including
7 a festival as defined in chapter 316. The special license shall be effective for a
8 maximum of fifty days during any year, and shall authorize the service of
9 alcoholic beverages at such function, occasion, or event during the hours at which
10 alcoholic beverages may lawfully be sold or served upon premises licensed to sell
11 alcoholic beverages for on-premises consumption. For every special license issued
12 pursuant to the provisions of this subsection, the licensee shall pay to the director
13 of revenue the sum of five hundred dollars a year payable at the same time and
14 in the same manner as its other license fees.

15 2. The supervisor of alcohol and tobacco control may issue a special
16 license to caterers and other persons holding licenses to sell intoxicating liquor
17 by the drink at retail for consumption on the premises pursuant to the provisions
18 of this chapter who furnish provisions and service for use at a particular function,
19 occasion, or event at a particular location other than the licensed premises, but
20 not including a festival as defined in chapter 316. The special license shall be
21 effective for an unlimited number of functions during the year, and shall
22 authorize the service of alcoholic beverages at such function, occasion, or event
23 during the hours at which alcoholic beverages may lawfully be sold or served

24 upon premises licensed to sell alcoholic beverages for on-premises
25 consumption. For every special license issued pursuant to the provisions of this
26 subsection, the licensee shall pay to the director of revenue the sum of one
27 thousand dollars a year payable at the same time and in the same manner as its
28 other license fees.

29 3. Caterers issued a special license pursuant to subsections 1 and 2 of this
30 section shall report to the supervisor of alcohol and tobacco control the location
31 of each function three business days in advance. The report of each function shall
32 include permission from the property owner and city, description of the premises,
33 and the date or dates the function will be held.

34 4. Except as provided in subsection 5 of this section, all provisions of the
35 liquor control law and the ordinances, rules and regulations of the incorporated
36 city, or the unincorporated area of any county, in which is located the premises
37 in which such function, occasion, or event is held shall extend to such premises
38 and shall be in force and enforceable during all the time that the licensee, its
39 agents, servants, employees, or stock are in such premises. **Any special license**
40 **issued under this section shall allow the sale of intoxicating liquor in**
41 **the original package.**

42 5. Notwithstanding any other law to the contrary, any caterer who
43 possesses a valid state and valid local liquor license may deliver alcoholic
44 beverages, in the course of his or her catering business. A caterer who possesses
45 a valid state and valid local liquor license need not obtain a separate license for
46 each city the caterer delivers in, so long as such city permits any caterer to
47 deliver alcoholic beverages within the city.

48 6. To assure and control product quality, wholesalers may, but shall not
49 be required to, give a retailer credit for intoxicating liquor with an alcohol content
50 of less than five percent by weight delivered and invoiced under the catering
51 license number, but not used, if the wholesaler removes the product within
52 seventy-two hours of the expiration of the catering function.

[311.087. Notwithstanding any other provisions of this
2 chapter to the contrary, any person who possesses the
3 qualifications required by this chapter and who meets the
4 requirements of and complies with the provisions of this chapter
5 may apply for, and the supervisor of alcohol and tobacco control
6 may issue, a license to sell intoxicating liquor by the drink at retail
7 for consumption on the premises of any wine shop, as defined in

8 this section, between the hours of 10:00 a.m. on Sunday and 10:00
9 p.m. on Sunday. As used in this section, the term "wine shop"
10 means any establishment that uses automated wine dispensing
11 equipment to dispense wine tastings by the glass at retail for
12 consumption on the premises where sold, so long as at least fifty
13 percent of the total sales of the wine shop are from package sales. In
14 addition to all other fees required by law, an applicant granted a
15 special license under this section shall pay an additional fee of two
16 hundred dollars a year payable at the time and in the same
17 manner as its other license fees.]

 [311.093. Notwithstanding any other law to the contrary,
2 any dance ballroom that is at least fifty years old, located in a
3 business district of a city not within a county, with a seating
4 capacity of at least six hundred persons, and with a dance floor of
5 at least four thousand eight hundred square feet may apply to the
6 supervisor of liquor control for a special license to sell intoxicating
7 liquor by the drink at retail on the premises between the hours of
8 11:00 a.m. and midnight on Sundays. In addition to all other fees
9 required by law, an applicant granted a special license under this
10 section shall pay an additional fee of two hundred dollars a year
11 payable at the time and in the same manner as its other license
12 fees.]

 [311.097. 1. Notwithstanding any other provisions of this
2 chapter to the contrary, any person who possesses the
3 qualifications required by this chapter, and who now or hereafter
4 meets the requirements of and complies with the provisions of this
5 chapter, may apply for, and the supervisor of control may issue, a
6 license to sell intoxicating liquor, as in this chapter defined,
7 between the hours of 9:00 a.m. on Sunday and midnight on Sunday
8 by the drink at retail for consumption on the premises of any
9 restaurant bar as described in the application or on the premises
10 of any establishment having at least forty rooms for the overnight
11 accommodations of transient guests. As used in this section, the
12 term "restaurant bar" means any establishment having a
13 restaurant or similar facility on the premises at least fifty percent
14 of the gross income of which is derived from the sale of prepared

15 meals or food consumed on such premises or which has an annual
16 gross income of at least two hundred thousand dollars from the
17 sale of prepared meals or food consumed on such premises.

18 2. The authority for the collection of fees by cities and
19 counties as provided in section 311.220, and all other laws and
20 regulations of the state relating to the sale of liquor by the drink
21 for consumption on the premises where sold, shall apply to a
22 restaurant bar or on the premises of any establishment having at
23 least forty rooms for the overnight accommodations of transient
24 guests in the same manner as they apply to establishments
25 licensed under sections 311.085, 311.090 and 311.095, and in
26 addition to all other fees required by law, a restaurant bar or on
27 the premises of any establishment having at least forty rooms for
28 the overnight accommodations of transient guests shall pay an
29 additional fee of two hundred dollars a year payable at the same
30 time and in the same manner as its other license fees.

31 3. Any new restaurant bar having been in operation for less
32 than ninety days may be issued a temporary license to sell
33 intoxicating liquor by the drink at retail for consumption on the
34 premises between the hours of 9:00 a.m. and midnight on Sunday
35 for a period not to exceed ninety days if the restaurant bar can
36 show a projection of annual business from prepared meals or food
37 consumed on the premises of at least fifty percent of the total gross
38 income of the restaurant bar for the year or can show a projection
39 of annual business from prepared meals or food consumed on the
40 premises which would exceed not less than two hundred thousand
41 dollars. The license fee shall be prorated for the period of the
42 temporary license based on the cost of the annual license for the
43 establishment.

44 4. In counties of the first class having a charter form of
45 government and which contain all or a part of a city having a
46 population of at least three hundred fifty thousand, any restaurant
47 bar licensed under the provisions of this section which is located on
48 the grounds of a sports stadium primarily used for professional
49 sporting events may sell intoxicating liquor by the drink at retail
50 for consumption within the premises of the restaurant bar on

51 Sunday between the hours of 8:00 a.m. and 12:00 midnight
52 notwithstanding the hours of limitation set forth in subsection 1 of
53 this section.

54 5. The provisions of this section regarding the time of
55 closing shall not apply to any person who possesses a special
56 permit issued under section 311.174, 311.176, or 311.178.]

[311.098. 1. Notwithstanding any other provisions of this
2 chapter to the contrary, any person who possesses the
3 qualifications required by this chapter, and who now or hereafter
4 meets the requirements of and complies with the provisions of this
5 chapter, may apply for, and the supervisor of alcohol and tobacco
6 control may issue, a license to sell intoxicating liquor, as defined
7 in this chapter, between the hours of 9:00 a.m. and midnight on
8 Sunday by the drink at retail for consumption on the premises of
9 any amusement place as described in the application. As used in
10 this section the term "amusement place" means any establishment
11 whose business building contains a square footage of at least six
12 thousand square feet, and where games of skill commonly known
13 as billiards, volleyball, indoor golf, bowling or soccer are usually
14 played, or has a dance floor of at least two thousand five hundred
15 square feet, or any outdoor golf course with a minimum of nine
16 holes, and which has annual gross receipts of at least one hundred
17 thousand dollars of which at least fifty thousand dollars of such
18 gross receipts is in nonalcoholic sales.

19 2. The authority for the collection of fees by cities and
20 counties as provided in section 311.220, and all other laws and
21 regulations of the state relating to the sale of liquor by the drink
22 for consumption on the premises where sold, shall apply to an
23 amusement place in the same manner as they apply to
24 establishments licensed under sections 311.085, 311.090 and
25 311.095, and in addition to all other fees required by law, an
26 amusement place shall pay an additional fee of two hundred dollars
27 a year payable at the same time and in the same manner as its
28 other fees.

29 3. Any new amusement place having been in operation for
30 less than ninety days may be issued a temporary license to sell

31 intoxicating liquor by the drink at retail for consumption on the
32 premises between the hours of 9:00 a.m. and midnight on Sunday
33 for a period not to exceed ninety days if the amusement place can
34 show a projection of gross receipts of at least one hundred thousand
35 dollars of which at least fifty thousand dollars of such gross
36 receipts are in nonalcoholic sales for the first year of
37 operation. The license fee shall be prorated for the period of the
38 temporary license based on the cost of the annual license for the
39 establishment.]

 [311.102. 1. Notwithstanding any other provisions of this
2 chapter to the contrary, any person who possesses the
3 qualifications required by this chapter, and who meets the
4 requirements of and complies with the provisions of this chapter
5 may apply for, and the supervisor of alcohol and tobacco control
6 may issue, a license to sell intoxicating liquor by the drink at retail
7 for consumption on the premises of any place of entertainment, as
8 defined in this section, between the hours of 9:00 a.m. on Sunday
9 and midnight on Sunday. As used in this section, the term "place
10 of entertainment" means any establishment located in a city not
11 within a county or in a county of the first classification having a
12 charter form of government with a population of at least nine
13 hundred thousand or more inhabitants or in a county of the first
14 classification having a charter form of government containing any
15 portion of a city with a population of three hundred eighty
16 thousand or more or in any city with a population of three hundred
17 eighty thousand or more which is located in more than one county
18 which has gross annual sales in excess of two hundred fifty
19 thousand dollars and the establishment has been in operation for
20 at least one year.

21 2. The authority for the collection of fees by cities and
22 counties as provided in section 311.220, and all other laws and
23 regulations of the state relating to the sale of liquor by the drink
24 for consumption on the premises where sold, shall apply to a place
25 of entertainment in the same manner as they apply to
26 establishments licensed pursuant to sections 311.085, 311.090, and
27 311.095, and in addition to all other fees required by law, a place

28 of entertainment shall pay an additional fee of two hundred dollars
29 a year payable at the same time and in the same manner as its
30 other license fees.]

[311.104. 1. Notwithstanding any other provisions of this
2 chapter to the contrary, any person who possesses the
3 qualifications required by this chapter and who meets the
4 requirements of and complies with the provisions of this chapter
5 may apply for, and the supervisor of alcohol and tobacco control
6 may issue, a license to sell intoxicating liquor by the drink at retail
7 for consumption on the premises of any place of entertainment, as
8 defined in this section, between the hours of 9:00 a.m. on Sunday
9 and midnight on Sunday. As used in this section, the term "place
10 of entertainment" means any establishment located in a county
11 with a charter form of government and with more than two
12 hundred fifty thousand but fewer than three hundred fifty
13 thousand inhabitants which has gross annual sales in excess of one
14 hundred fifty thousand dollars and the establishment has been in
15 operation for at least one year.

16 2. The authority for the collection of fees by cities and
17 counties as provided in section 311.220, and all other laws and
18 regulations of the state relating to the sale of liquor by the drink
19 for consumption on the premises where sold, shall apply to a place
20 of entertainment in the same manner as they apply to
21 establishments licensed pursuant to sections 311.085, 311.090, and
22 311.095, and in addition to all other fees required by law, a place
23 of entertainment shall pay an additional fee of two hundred dollars
24 a year payable at the same time and in the same manner as its
25 other license fees.]

[311.273. 1. Notwithstanding the provisions of section
2 311.270, or any other provision of law to the contrary, any person,
3 firm, or corporation holding a license to sell malt liquor only may
4 apply for a special license to sell malt liquor or beer containing not
5 in excess of five percent alcohol by weight on Sunday in sports
6 stadiums primarily used for professional sporting events, in cities
7 not within a county.

8 2. The license shall be issued by the supervisor of liquor

9 control upon the payment of an additional license fee of three
10 hundred dollars per year.

11 3. The special license shall allow such person, firm, or
12 corporation to sell malt liquor or beer containing not in excess of
13 five percent alcohol by weight, for on-premises consumption only,
14 for a period starting at 11:00 a.m. on Sundays, and ending at 1:30
15 a.m. on the following Monday.

16 4. Nothing in this section shall be construed to permit the
17 special licensee to sell such malt liquor or beer for off-premises
18 consumption.]

[311.481. 1. Notwithstanding any other provisions of this
2 chapter to the contrary, any person who possesses the
3 qualifications required by this chapter, and who now or hereafter
4 meets the requirements of and complies with the provisions of this
5 chapter, may apply for, and the supervisor of liquor control may
6 issue, a license to sell intoxicating liquor, as defined in this
7 chapter, by the drink between the hours of 11:00 a.m. on Sunday
8 and midnight on Sunday at retail for consumption on the premises
9 of any airline club as described in the application. As used in this
10 section, the term "airline club" shall mean an establishment located
11 within an international airport and owned, leased, or operated by
12 or on behalf of an airline, as a membership club and special
13 services facility for passengers of such airline.

14 2. The authority for the collection of fees by cities and
15 counties as provided in section 311.220, and all other laws and
16 regulations of the state relating to the sale of liquor by the drink
17 for consumption on the premises where sold, shall apply to each
18 airline club in the same manner as they apply to establishments
19 licensed pursuant to sections 311.085, 311.090 and 311.095, and in
20 addition to all other fees required by law, a person licensed
21 pursuant to this section shall pay an additional fee of two hundred
22 dollars a year payable at the same time and in the same manner
23 as its other fees; except that the requirements other than fees
24 pertaining to the sale of liquor by the drink on Sunday shall not
25 apply.]